

## **REMARKS**

Applicant would like to thank the examiner for the detailed office action mailed on January 08, 2008.

Claims 1-44 are pending. Claims 1-44 have been rejected by the examiner.

Claims 27-29 have been rejected under 35 U.S.C § 101 as being directed to Non-statutory subject matter.

Claims 1-44 have been rejected under 35 U.S.C § 102 (e) as being anticipated by Tsujii (US Patent 7,079, 189).

### **Amendments**

The amendments are not to be construed as an admission by Applicant of the correctness of the rejection.

### **Request for Reconsideration**

Applicant requests reconsideration of the rejection of Claims 1-5, 7-26, and 30-44.

### **Rejection under 35 USC § 102**

To anticipate a claim under 35 U.S.C § 102 a single source must contain all of the elements of the claim. Lewmar Marine Inc. v. Barient, Inc., 627 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), cert. denied, 484 U.S. 1007 (1988). Moreover, the single source must disclose all of the claimed elements “**arranged as in the claim.**” (emphasis added) Structural Rubber Prods. Co. v. Park Rubber Co., 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984). Moreover, “[t]he identical invention must be shown in as complete detail as is contained in the ...claim.” (emphasis added) Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 U.S.P.Q. 1913, 1920 (Fed. Cir.

1989). Missing elements may not be supplied by the knowledge of one skilled in the art or the disclosure of another reference. Titanium Metals Corp. v. Banner, 778 F.2d 775, 780, 227 U.S.P.Q. 773, 777 (Fed. Cir. 1985).

Tsujii (U.S. Patent 7, 079, 189) does not anticipate claims 1-44.

Applicant respectfully traverses the rejection of claims 1-44 because the Tsujii '189 patent fails to teach or suggest all of the elements of applicant's claims. The claimed invention is directed to managing a radiography detector so as to regulate the power consumed and the temperature produced by the detector. The temperature or "the heat contributes to an overall rise in temperature with both application and structural effects on the medical device. Structural effects or excessive heat generated by small portable electronic devices reduces battery life, reduces component life, reduces the reliability of the device, and increases device failure." See page 1 of the instant application. Further, excessive heat produced by the electronics in the radiographic detector can "result in patient discomfort or burning."

The invention as claimed (claims 1-5, 7-26, and 30-44 ) employs multiple triggering events so as to automatically change the "operating state of the digital radiography detector." Triggering events can result from activation switch 208 (page 8 of the disclosure), from the system, or from a prediction model (flowchart figures 8-10). The claims specifically recite a "first triggering event," a "second triggering event," and determined variable time interval triggering events. Additionally, the claimed invention has been amended to recite receiving a function to be performed by the medical imaging detector and determine those components of the medical imaging detector that are associated with the desired function. The triggering events and the associated components

of a desired function are strategically used by the system to regulate the operating state so as to regulate the heat and the power consumed by the “digital radiography detector.”

The examiner asserts that the patent to Tsujii ('189) discloses the invention as claimed. In particular, the Examiner asserts that the invention can be primarily found in col 2, lines 12-26, col 10, lines 13-37, figs. 4 and 7, column 11.

The Tsujii et al. patent does not disclose (column 10 and column 11 as asserted by the examiner) the first triggering signal and the second triggering signal to be used for the purpose of managing power consumption. The citation asserted by the examiner merely states that one can adaptively determine the time for stabilization of the sensor offsets. There is no mention or no inference can be drawn to the claimed determining components of the medical imaging detector that are associated with the received function.

The Tsujii et al. patent does not disclose changing the operating state of a digital radiography detector based on three triggering events. Tsujii merely discloses different ways that one can provide power to a detector (item 140 at figure 1) and the read out circuitry (item 145 at figure 1). In contrast, the claimed invention after a triggering signal is acquired (switch is flipped for example) changes the state of the detector and waits for a second trigger signal (same or another switch is flipped) or a model based triggering signal to change the state of the detector. The claimed invention dynamically changes the state of the detector so as to manage temperature and battery usage.

Support for receiving a function to be performed by the medical imaging detector and determining components of the medical imaging detector that are associated with the

received function can be found in pages 19-21. See the mapping of functions and power consumption states in Table II. No new matter has been added by this amendment.

### CONCLUSION

Applicant believes this reply is fully responsive to all outstanding issues and places the application in condition for allowance. If this belief is incorrect, or other issues arise, the examiner is encouraged to contact the undersigned at the telephone number listed below.

Dated: April 08, 2008

Respectfully submitted,

By:   
Ellis B. Ramirez (43,326)